

REMARKS

By this Amendment claims 1-13 have been replaced by new claims 14-24 which more concisely define the invention. Entry is requested.

In the outstanding Office Action, the examiner has rejected claims 1, 2, 4, 8 and 11 (when dependent on claims 1, 2, 4 and 8) as being anticipated by Rabe; he has rejected claims 5 and 11 (when dependent on claim 5) as being unpatentable over Rabe in view of Thomas; and he has rejected claims 6, 7, 9, 10 and 11 (when dependent on claims 6, 7, 9 and 10) as being unpatentable over Phillipps in view of Whitby.

The inventor asserts that these rejections cannot be applied to the new claims.

Rabe teaches using a corrugated sound duct in a handset 10, the duct being repeatedly varied in width from 34a to 34b so as to boost low-frequency sound. There is no teaching in Rabe of preventing emission of radiation from the mobile phone into the user's head, or of keeping all electrical parts well away from the user's ear and brain. Rabe shows the antenna 20 close to listening holes 32. Furthermore, Rabe does not disclose an earpiece carried by a dielectric sound tube that can telescope out of a mobile phone handset.

Thomas discloses kit arrangements that comprise a sound tube 3 that has an earpiece 4 at one end and that terminates at the other end in a perforated plate 2. Plate 2 is positioned next to the speaker of the mobile phone M, and is either bonded to the mobile phone M using double-sided adhesive 7A or 7B (page 6, line 24 to page 7, line 2) or

bonded to a casing 1 in which the mobile phone is paced (page 5 lines 4-8). The kit does not have any speaker, microphone, cable or electrical plug.

The Thomas kit has the disadvantage that the handset cannot be in a handbag or a trouser pocket during a call, since the kit has no microphone. Applicant's kit avoids such disadvantage. Furthermore, the Thomas kit arrangement requires that there be either the casing 1 or else a plate 2 that is bonded to the handset. There is no such requirement with applicant's kit.

Phillipps discloses a personal digital assistant (PDA) 2 that has a display 1, a key board 3, and an earphone 6 that is mounted at the end of a telescopic mount 4. PDA 2 may comprise a mobile phone. A typical purpose of the arrangement is to enable a user to view the display 1 at a reading distance while keeping earphone 6 close to the ear (col. 1, lines 37-42). Telescopic mount 4 may also include a microphone 7. Phillipps does not teach protecting the user from radiation emanating from electrical parts. Phillipps refers in col. 3, lines 8-12 to placing earphone 6 close to the user's ear. Placing an earphone close to the user's ear is contrary to applicant's teaching.

Whitby discloses a hands-free kit for use in a car. The kit relies on a clamping cradle that comprises an elongate plate 1 onto which a mobile phone 14 can be clamped with the aid of elbow 4, slotted bracket 5, seal 9 and finger nut 7. Attached to elbow 5 is a sound tube 11, which receives sound from the earpiece 15 of the mobile phone 14. The kit

does not comprise any speaker, microphone, cable or plug. Furthermore, the kit cannot be used conveniently by a pedestrian, i.e., outside a car. There is a requirement that the kit be fitted to the driver's car window by flanges 3 so that the mobile phone 14 is sufficiently close for it to pick up the driver's speech (page 7 lines 13-16).

Puthuff describes an earpiece comprising an electrical sound processor 32 in a case 28 worn behind the ear. Sound is transmitted from case 28 into the ear canal via tubes 24, 22 of the earpiece. There is no teaching in Puthuff of avoiding radiation into the brain. Electrical parts (e.g. 32, 34, 36) are right at the ear, which is contrary to applicant's teaching.

No combination of these patents can suggest the claimed invention.

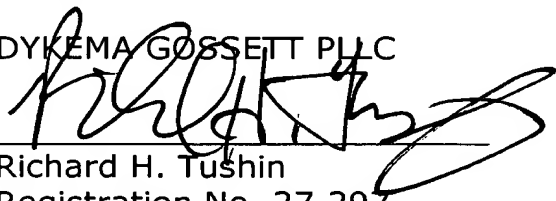
Favorable reevaluation is requested.

The inventor intends to file an Information Disclosure Statement within a few days.

Respectfully submitted,

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